

## ***Appendix 1. Response to Comments***

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## **1.0 INTRODUCTION**

This appendix contains a detailed summary of all comments that were received in response to the Draft Supplement to the *Environmental Assessment (EA)* for the *Sacramento River National Wildlife Refuge (Refuge or SRNWR) Final Comprehensive Conservation Plan (CCP) (2005)* during the official public comment period. Public comments on the Draft Supplement were accepted from March 9, 2007 to April 7, 2007. Any additional comments received up until April 13, 2007 were also accepted and analyzed. Comments received after April 13, 2007 were reviewed for content, but were not used in the analysis.

The public comment period began with a legal notice in several local newspapers including the Sacramento Valley Mirror, Willows Journal, Chico Enterprise Record, Oroville Mercury-Register, and Red Bluff Daily News. A letter was sent to the entire Refuge CCP mailing list including over 400 individuals, organizations, and agencies. A press release was sent to over 30 media contacts including newspapers, radio stations, and television stations. In addition, the press release and Draft Supplement was added to the Complex's website (<http://www.fws.gov/sacramentovalleyrefuges/index.htm>). All requests (7) for copies of the Draft Supplement were sent electronically via email or hard copy via mail.

All comments were reviewed and organized so that an objective analysis and presentation of the comments could be made (Section 2). Note that for simplicity sake, the word "letter" is generally used throughout this appendix to refer to any comment received, whether by letter, postcard, or email. Service responses are included in Section 3. The names and affiliations of all of the people who commented are listed at the end of this Appendix (Section 4).

## **2.0 QUANTITATIVE ANALYSIS OF COMMENTS RECEIVED**

### ***2.1 Summary of Comments Received on the Draft CCP/EA and the Response Process***

The Service received a total of 11 comment letters (via letter and e-mail) on the Draft Supplement during the comment period. The Service received five phone calls regarding the Draft Supplement. These phone conversations dealt with questions regarding the Supplement or requesting a copy of the Supplement. No comments were received by phone. Two individuals came into the office; however, no comments were received in person.

#### **2.1.1. Affiliations**

Table 1 provides a summary of the affiliation of commentors. Names and entities of the commentors are listed at the end of this Appendix (Section 4).

**Table 1. Commentor Affiliation**

<b>Affiliation Type</b>	<b>Number Of Letters Received</b>
Organizations	4
Businesses	2
General Public	5
<b>TOTAL</b>	<b>11</b>

**2.1.2. Comment Media**

Comments were received in a variety of formats during this process, including letters and e-mails (Table 2). The Service considered all comments received as part of the decision-making process.

**Table 2. Type of Media Used**

<b>Type of Media</b>	<b>Number of Comments Received</b>
Letter	6
E-mail	5
<b>TOTAL</b>	<b>11</b>

**2.1.3. Place of Origin of Commentors**

Although the Sacramento River Refuge is a relatively new refuge, it is well known and the anticipation of its opening to the public has been recognized throughout the CCP process. The greatest number of respondents was from California, with only one other state commenting (Table 3).

**Table 3. Commentor State of Origin**

<b>STATE</b>	<b># of respondents</b>
CA	9
DC	2

**2.2 Quantitative Summary of Comments Received – Alternatives and Issues**

Section 3 of this Appendix presents specific comments received followed by the Service's responses. However, it is first useful to present a general summary of the nature of comments received, based on topic type. The information presented in this section includes a relatively quantitative analysis of the information received and analyzed. A more precise analysis was difficult due to the overlap of key issues and the open ended nature of the comment process. Service staff have read and reviewed every letter received during the comment process, and the information contained in those comments was used to help develop the Final Supplement.

**2.2.1. Topics**

Table 4 contains a list of topics and subtopics that comments were grouped into. It is important to note that comment letters may have contained more than one topic or subtopic. Within a single comment letter, there may have been multiple comments on a specific topic or subtopic. After reviewing the 11 comment letters, 45 comments within 3 topics and 7 subtopics were identified. Out of the 45 comments, the majority dealt with hunting (73%).

**Table 4. Comments Concerning Specific Topics**

<b>Issue</b>	<b>Number (percent)</b>
<b>Hunting</b>	33 (73.3%)
Opposition to Hunting	4 (9%)
Hunting Impacts	2 (4%)
Hunting and Wildlife Surveys	2 (4%)
Monitoring Hunting and Law Enforcement	5 (11%)
Hunting and Economics/Resources	4 (9%)
Hunting and Adjacent Landowner Concerns	3 (7%)
Support of Hunting	13 (29%)
<b>Other Comments</b>	6 (13.3%)
<b>Praise</b>	6 (13.3%)
<b>Total</b>	<b>45</b>

### 3.0 SUMMARY OF COMMENTS AND SERVICE RESPONSES

This section provides a summary of the individual comments received on the Draft Supplement, followed by the Service's responses to those comments. The comments were organized into 3 topic and 7 subtopic areas many of which are issues identified in Table 4. The topic areas include:

- 3.1 Hunting
  - 3.1.1 Opposition to Hunting
  - 3.1.2 Hunting Impacts
  - 3.1.3 Hunting and Wildlife Surveys
  - 3.1.4 Monitoring Hunting and Law Enforcement
  - 3.1.5 Hunting and Economics/Resources
  - 3.1.6 Hunting and Adjacent Landowner Concerns
  - 3.1.7 Support of Hunting
- 3.2 Other Comments
- 3.3 Praise

Within each topic area, similar or related comments were grouped by subtopic or presented as numbered bulleted items. In most cases, the comment is a quote from a particular letter; in some cases, very similar comments were merged into a single comment paraphrased to make them more concise. Every effort was made to present all substantive comments in this summary. There is some overlap between topics and subtopics. The Service response follows each comment. A copy of all of the original comments received on the Draft Supplement is maintained on file at Sacramento Refuge Complex headquarters.

### 3.1. Hunting

#### 3.1.1. Opposition to Hunting

**Comment:** *“Request that the Refuge not be opened to hunting.”*

**Service Response:** National wildlife refuges exist primarily to safeguard wildlife populations through habitat preservation and management. The word "refuge" includes the idea of providing a haven of safety for wildlife, and as such, hunting might seem an inconsistent use of the National Wildlife Refuge System (Refuge System). However, habitat that normally supports healthy wildlife populations produces harvestable surpluses that are a renewable resource.

One of the five goals of the Refuge System is "To foster understanding and instill appreciation of native fish, wildlife, and plants and their conservation, by providing the public with safe, high-quality, and compatible wildlife-dependent recreational uses. Such uses are hunting, fishing, wildlife observation and photography, and environmental education and interpretation." The Service recognizes hunting as an acceptable, traditional, and legitimate form of wildlife-oriented recreation and, in some instances, as a management tool to effectively control wildlife population levels.

In the 1997 amendments to the National Wildlife Refuge Administration Act of 1966, Congress identified hunting as one of six priority public uses of the Refuge System. These priority uses are to receive enhanced consideration, in planning and management, over all other public uses. All uses must also be determined to be compatible with Refuge purposes before they can be allowed. Appendix B of the CCP contains the compatibility determinations for all of the uses on the Refuge including: hunting; fishing; wildlife observation, wildlife photography and interpretation; environmental education; research; camping and recreational boating; farming; grazing; and mosquito and other vector control. Each of these uses was found compatible on the Sacramento River Refuge. The Proposed Action (Alternative B) was designed to provide quality hunting opportunities; improve wildlife sanctuary; ensure compatibility; provide clear, accurate hunting information; and reduce conflicts with other users as much as possible.

The Service must coordinate hunting on refuges with other compatible wildlife-dependent public uses to minimize conflicts. We may use time and space scheduling to ensure quality experiences for both hunters and non-hunters. We ensure that adverse impacts to other wildlife, particularly threatened and endangered species, do not occur.

Although hunting directly impacts the individual animal, the amount of harvest is not expected to have a measurable effect on Refuge population levels, especially since hunting activity is not expected to be high along the river. In addition, hunting is monitored, regulated, and designed to ensure that harvest does not reduce populations to unsustainable levels. Fish and wildlife resources found along the Sacramento River are healthy and robust enough to support regulated hunting and fishing, complimenting the other activities available to the public in their enjoyment of their public resources (CDFG 2004).

The Service recognizes the majority of the people that visit refuges visit for wildlife observation

and to experience nature, however, just as the comment process is not a voting contest, neither is the number of people within each interest group. The Final CCP represents a balanced approach for wildlife-dependent recreation providing areas for wildlife sanctuary, for wildlife observation, and for hunting.

**Comment:** *“I really don’t like to see the turkeys, deer, etc. that run free on the reserve shot....and feel it should be off-limits to hunting.”*

**Service Response:** Comment noted.

**Comment:** *“It is well know that legalized hunting serves as a smoke screen behind which poachers operate. It is therefore easier and less resource intensive to prohibit hunting in an area than it is to regulate it.”*

**Service Response:** The Service disagrees with this comment.

**Comment:** *We received a letter from the Humane Society of the United States that contained comments related to hunting on the National Wildlife Refuge System as a whole and containing elements related to litigation filed in 2003 by the Fund for Animals against the Service.*

**Service Response:** These comments were not specific to this Supplement and are noted, but not responded to here.

### **3.1.2. Hunting Impacts**

**Comment:** *“The FWS has provided no supporting evidence that the widely dispersed trampling of vegetation and disturbance caused in the course of hunting has no negative impact on refuge wildlife, nor that concentration of human trampling or disturbance to concentrated areas, such as trails and viewing points, actually causes more disturbance.”*

**Service Response:** Some degree of environmental impact is inevitable wherever recreation occurs. The Improvement Act provides six priority recreational uses which receive priority consideration in refuge planning and management, therefore; it is not the Service’s desire to preclude all opportunities for recreational use. The challenge is to keep recreational impacts within acceptable limits.

Twenty percent of the Refuge is closed to all public access. These sanctuaries protect sensitive species (both plant and animal), cultural resources, and provide places where human-caused disturbances are reduced, thereby reducing the interruption of wildlife activities. Eighty percent of the Refuge (8,261 acres) is open (or will be open in the future) to wildlife-dependent recreation.

Refuge units that are open to the public for wildlife-dependent recreation do not confine visitors to trails whether you are a hunter or a non-hunter. As a result, it would be difficult to determine which user group had more of an impact on vegetation, if any. To date, observations by the refuge manager, law enforcement officers, and biologist have not seen long-term vegetation damage on the Refuge. Refuge staff will continue monitoring efforts.

It is our experience, that the majority of non-hunters request/prefer units with trails and vehicle access. The Service has created trails on a number of units with vehicle access to accommodate these requests. Moreover, the Service provides 2,938 acres that are open (or will be open in the future) for wildlife-dependent recreation excluding hunting.

5,323 acres of the Refuge is open (or will be open in the future) to hunting and other wildlife dependant recreation. Most Refuge lands are accessible only by boat, which limits the number of people that access the Refuge, including hunters. In addition, some areas are so dense with vegetation that access is also limited. Thus, the number of hunters that the Refuge receives is minimal (<1,500 annual visits). It is our experience, that hunters do not use designated trails, but may readily use game trails. Usually the impacts to vegetation are minor and dispersed throughout the area. Impacts on vegetation therefore are usually minor and of short duration.

In addition, the Service did not state in the Supplement that concentrating human trampling or disturbance to trails and viewing points would cause more of a disturbance. The Supplement stated: “This direct impact of foot travel by hunters on the habitat is often different from that of other wildlife-dependent recreation users because hunters tend to travel in very dispersed patterns over wide areas, minimizing the chances of negatively impacting sites.”

**Comment:** *‘The impacts of hunting on non-hunted species have also not been rigorously evaluated. The FWS has not presented any refuge specific studies on the impact of non-hunted species, yet maintains that any impacts are minimal.’*

**Service Response:** The Service states in the Supplement that: “Some wildlife disturbance will occur during the hunting seasons. Proper zoning, regulations, and Refuge seasons will be designated to minimize any negative impacts to wildlife populations using the Refuge.” The Service also states that: “Hunting will result in disturbance to other wildlife species on the Refuge; however, this disturbance will not be significant.” In addition, the CCP identifies short-term and long-term strategies to address potential impacts caused by public use to wildlife and cultural resources under Objective 1.10 (Chapter 4).

Although hunting directly impacts individual animal, the amount of harvest is not expected to have a measurable effect on Refuge population levels, especially since hunting activity has not been (and is not expected to be in the future) high along the river. In addition, hunting is monitored, regulated, and designed to ensure that harvest does not reduce populations to unsustainable levels. The Hunt Plan, does includes the option for implementing quotas if monitoring efforts by the refuge biologist, law enforcement officers, or manager indicates the need for increased regulation of the activity. Fish and wildlife resources found along the Sacramento River are healthy and robust enough to support regulated hunting and fishing,



complimenting the other activities available to the public in their enjoyment of their public resources (CDFG 2004).

### 3.1.3. Hunting and Wildlife Surveys

**Comment:** *“The FWS repeatedly admits that no formal surveys [of hunted wildlife] have been conducted for the entire Refuge. The FWS offers in lieu of actual surveys that, the refuge wildlife biologist and assistant refuge manager have observed more [deer, wild turkey, etc] since restoration has occurred. The FWS offers no actual numbers or explanation to how such observations were measured or recorded.”*

**Service Response:** As stated in the Supplement, deer spotlight surveys are conducted on a 30-mile area adjacent to the Refuge by the CDFG. Buck numbers, which are currently the only harvested sex, are at or above CDFG’s management goals identified in the management plan.

In addition, baseline site assessments that include wildlife surveys are conducted on Refuge units prior to restoration by Chico State University (CSU) and PRBO (Point Reyes Bird Observatory). Baseline site assessments include recording plant and wildlife species occurring on the Refuge. Point count surveys record all bird species seen or heard for a specific time period. The frequency of occurrence for a species is also calculated. These surveys include game species (e.g. California quail, mourning dove, wild turkey). Although species specific surveys for waterfowl, quail, turkey, pheasant, and dove have not been conducted on the entire Refuge, the refuge wildlife biologist, assistant manager, PRBO survey crews, and CSU biologists have documented these game species throughout the Refuge Units.

The refuge manager considers their field experiences and knowledge of a refuge’s resources, particularly its biological resources, to make conclusions that are consistent with principles of sound fish and wildlife management and administration, available scientific information, and applicable laws (603 FW 2 of the Service Manual). These observations, therefore, aid in refuge management planning and in making refuge decisions.

**Comment:** *“An increase in observation can be the result of many factors that have nothing to do with an overall increase in population. ...the restoration of habitat may be attracting wildlife from surrounding areas to visit the refuge more frequently with no actual increase in population in the surrounding area. Or specific habitat resources may result in periodic concentrations of animals creating the appearance of abundance.”*

**Service Response:** PRBO also has conducted long-term landbird monitoring on the Sacramento River (including sites on the Refuge) riparian forest and restorations sites since 1993 (Small et al 2000). Using point count survey data, PRBO show a significant trend for riparian bird diversity to increase with age or restoration sites, indicating when these sites mature, bird species diversity increases. Point count surveys include information on game species (e.g. California quail, mourning dove, wild turkey).

In addition, Stillwater Sciences (2003) reports that overall levels of bat activity (regardless of species identification) are positively correlated with age and structural complexity of terrestrial habitats, and thus may provide a valuable measure of restoration success.

The Service uses these studies, and numerous others, to conclude that restoration of habitat is beneficial to wildlife, including game species. As stated in the comment above, the Service does not conduct formal surveys of the entire Refuge. In addition, animals readily move between Refuge lands and the surrounding private and public lands. However, sound professional judgment can be used to determine that wildlife populations are likely to increase as lands are restored and increase in time as the restoration matures.

### **3.1.4. Monitoring Hunting and Law Enforcement**

**Comment:** *“How much enforcement effort has been undertaken during the newly established hunting program? How many wardens or other enforcement personnel have been present on the refuge and for how many hours have they been actively engaged in monitoring hunting activities?”*

**Service Response:** At the time the CCP was written, the Service had one full-time law enforcement officer and one dual-function law enforcement officer. With the implementation of the CCP, the Service has hired an additional full-time law enforcement officer. In addition, the Northern California Zone Officer (full-time law enforcement officer) is stationed at the Complex. The refuge officers primary responsibilities include patrolling the Refuge to detain, investigate, and apprehend violators. In addition, they are able to monitor and record information about the number of hunters, the number of animals harvested, wildlife observations, etc.

In 2005, 1,111 hours of law enforcement (by one full-time officer and one dual-function officer) were spent on the Refuge. In 2006, 709 hours of law enforcement (by one full-time officer during a 6-month period and one dual-function officer) were spent on the Refuge.

The number of California Fish and Game wardens has also increased in recent years. Tehama County has one lieutenant (supervisory warden) and three wardens. Butte and Glenn counties have one lieutenant and six wardens. Colusa and Sutter counties have one lieutenant and four wardens. The Service and the CDFG have a very close working relationship which includes coordination meetings at the beginning of hunting seasons (e.g. waterfowl, dove, turkey).

In addition, California Department of Parks and Recreation (CDPR) have one lieutenant and four rangers (one for Tehama County, two for Butte and Glenn counties, and one for Colusa and Sutter counties).

The Sacramento River Refuge has a Memorandum of Understanding (MOU) with the CDFG and the CDPR for cooperative land management along the Sacramento River (USFWS et al 2001). The purpose of the MOU is to formally document an agreement to mutually manage, monitor, restore, and enhance lands managed for fish, wildlife, and plants along the Sacramento River in

Tehama, Butte, Glenn, and Colusa counties. An additional purpose is to regularly communicate between agencies to prevent duplicating or prescribing conflicting land management, law enforcement, and acquisition efforts. The affected area includes all lands owned and managed as the Sacramento River Refuge, Sacramento River Wildlife Area, and CDPR located along the Sacramento River in the designated counties. These lands have been identified in several documents as providing essential habitat for numerous species of fish and wildlife including many threatened and endangered species. The Service, CDFG, and CDPR mutually agree to coordinate and manage these lands for the conservation of biological, cultural, and scenic values, and for promoting compatible wildlife-dependent recreational opportunities. Law enforcement coordination and training meetings are conducted quarterly.

**Comment:** *“The CCP states that the use of federally approved non-toxic shot will be required for all hunting except deer. Lead shot is traditionally and legally used in California to hunt doves. It is unclear how the Refuge will overcome the inevitable confusion over the legality of lead shot use and how effectively the regulations will be enforced. The Supplement fails to specifically address the above concerns.”*

**Service Response:** The Service addressed this comment in the Response to Comments in the Final EA, which states: “The Service will require the use of non-toxic shot for dove hunting on the Sacramento River Refuge. Initially, educating the public on lead shot requirements for dove hunting on refuge lands may be challenging. However, the Service’s adaptive management philosophy allows staff to respond to site specific issues by modifying strategies of implementation for signing, education, and enforcement. Refuge regulations will be posted and will be available in our brochures and on our website. Refuge regulations will be enforced by refuge officers and coordinated patrol with Service special agents, state game wardens, state park rangers and deputy sheriffs.”

This regulation is readily enforced on the Refuge. Refuge officers conduct shell checks on hunters and specifically look (and test, if needed) for lead shot during these checks. In the two years that hunting has occurred on the Refuge, only 4 citations for possession of lead shot while in the field (50 CFR 20.21(j) and 32.2(k)) have been written.

**Comment:** *“The inability of SRNWR to adequately monitor hunting programs through recording, keeping, monitoring, and enforcement remains a primary concern.”*

**Service Response:** The Response to Comments in the Final EA states: “There are numerous methods and techniques that have been developed for estimating the number of visits on refuges. These methods may be applied to a variety of different situations including areas not accessible by roads, areas that have more than one activity occurring at a time, or areas that have multiple access points. The following methods of estimating the number of visitors will be used on Sacramento River Refuge: direct observations, traffic counters, patrols, self-registration, extrapolations from limited data using stratified samples, and best professional judgment. Harvest limits will be estimated using stratified sampling, self-registration, patrol, and direct observations.”

It also states: “There are many ways that hunters will be regulated. There will be two full-time and one dual-function law enforcement officers on the Refuge Complex dedicated to enforce harvest limits and regulate hunters. They are familiar with the areas of the Refuge that are accessible for hunting. Some areas are so dense with vegetation that access is limited. They are also familiar with problem areas for illegal activities so they will be able to efficiently patrol and focus on specific problem areas when needed.”

The Service disagrees with the comment. We believe refuge law enforcement officers and the CDFG wardens are able to adequately monitor the hunting programs, maintain compliance with regulations, and assess species and number harvested. Refuge officers and CDFG wardens collect information on species specific harvest on deer and wild turkeys.

**Comment:** *“The SRNWR failed to establish check stations on the Refuge.”*

**Service Response:** The Hunt Plan states: “There will not be any check stations on the Refuge.” The Hunting Compatibility Determination states: “There will not be any hunter check stations or direct method to regulate hunter quotas on each unit. It is predicted that there will be minimal hunting (1,500 annual visits) due to the limited vehicle access, dense cover, and seasonal boat access. Hunters must report take of deer according to State regulations. Field checks by refuge law enforcement officers will be planned, conducted, and coordinated with staff and other agencies to maintain compliance with regulations and assess species and number harvested.”

The Response to Comments in the Final EA states: “The programs that use a central check-in and user fees are generally areas that have heavy use, need quotas, etc. The hunting program on the California Department of Fish and Game Sacramento River Wildlife Management Area has operated for a number of years without the need for a centralized check-in or user fees. In our professional judgment, the hunting program on the Sacramento River Refuge will also not need to have hunter quotas at this time. However, the Hunt Plan includes the option for implementing quotas if monitoring efforts by the refuge biologist, law enforcement officers, or manager indicates the need for increased regulation of the activity.”

The Service, therefore, did not fail to establish check stations on the Refuge. Due to the linear nature of the Refuge (i.e. the Refuge stretches along 77 miles the Sacramento River); check stations would not be practical. The coordinated field checks by refuge law enforcement officers and the CDFG wardens are used to maintain compliance with regulations and assess species and number harvested.

**Comment:** *“I urge you to aggressively monitor [hunter] levels.” Some units were at a maximum hunter capacity during peak deer hunting periods.*

**Service Response:** In our professional judgment, the hunting program on the Sacramento River Refuge will not need to have hunter quotas at this time. However, the Hunt Plan includes the option for implementing quotas if monitoring efforts by the refuge biologist, law enforcement

officers, or manager indicates the need for increased regulation of the activity.

### **3.1.5. Hunting and Economics/Resources**

**Comment:** *“The Supplement also attempts to present economic arguments in support of hunting yet fails to account for the costs of hunting and fails to reconcile these proclaimed economic benefits with its assertion that hunting interest in the refuge will be, minimal due to limited vehicle access, dense cover, and seasonal boat access.”*

**Service Response:** The economic information provided in the Supplement cited a number of sources. The economic studies cited merely presented economic information relevant to recreation, including hunting. This information was not presented to support or not to support hunting. The Supplement states that: “hunting on Sacramento River Refuge will not result in any economic effects, either direct or indirect, which would produce any significant adverse environmental impacts.”

**Comment:** *“As noted in the Supplement, hunting does not represent a cumulatively significant benefit to the tiny fraction of the California population that engages in hunting, we question why the SRNWR would spend its limited resources on managing a hunting program.”*

**Service Response:** The Supplement states: “In California, fourteen refuges are closed to the public. Eighteen refuges, including Sacramento River Refuge, allow waterfowl hunting. Nine of these refuges also allow pheasant hunting. In addition, Clear Lake Refuge allows pronghorn hunting. Sacramento River Refuge is the only refuge in California to allow deer, quail, turkey, and dove hunting opportunities in addition to waterfowl and pheasant hunting. Hunting on Sacramento River Refuge will have an extremely minor impact on wildlife species on refuges within California. There is a benefit to California hunters to be able to hunt these species on the Refuge; however, is not a cumulatively significant benefit.”

The comment was taken out of context. The Service believes that there is a benefit to California hunters by allowing hunting on the Refuge. This echoed in the comments received during the CCP planning process and during the comment period for the Draft Supplement. The Service, however, does not believe it is a cumulatively significant benefit.

**Comment:** *“...SRNWR’s limited resources would be better spent protecting habitat and endangered species than on a hunting program...”*

**Service Response:** The Service understands that the Refuge has a limited budget. However, the Service does not agree that resources can be better spent. The CCP proposed an optimal balance of resource objectives and visitor services opportunities. Habitat management, restoration, and associated biological resource monitoring would be improved by the CCP. Visitor service opportunities focusing on quality wildlife-dependant recreation, including hunting, distributed throughout the Refuge would also be allowed by the CCP.

We recognize the concern that some visitors will be uncomfortable visiting areas where hunting occurs. Therefore, the CCP set aside areas that do not allow hunting and will be developed for wildlife observation, photography, education, and interpretation. These areas will have trails, kiosks, parking areas, and port-a-potties (Table 9 in the CCP). Refuge units that allow hunting were also proposed in the CCP. Hunting will be limited to designated seasons and will not occur year-round. By providing areas for both consumptive and non-consumptive uses, the Service can increase the knowledge and appreciation of fish and wildlife resources for both consumptive and non-consumptive users.

**Comment:** *“The NWR System comprised just 5% of all lands available to hunters. In addition, the results of a 1999 national Decision Research public opinion poll revealed that majority of American oppose the recreational and commercial killing of wildlife on National Wildlife Refuges. Such information was glaringly absent from the Supplement’s economic analysis.”*

**Service Response:** There is no commercial killing of wildlife on Sacramento River Refuge. The rest of this comment does not refer to an economic analysis, therefore, that information would not be included in the economic section of the Supplement.

### **3.1.6. Hunting and Adjacent Landowner Concerns**

**Comment:** *“We do not want hunting along the river south of our home...”*

**Service Response:** The Refuge does not allow hunting on the referenced property. The Refuge lands adjacent to the property are open to wildlife-dependent recreation uses, excluding hunting (Big 5 uses). Hunting is allowed on this Refuge unit is further south and east, adjacent to the CDFG lands which have been opened to hunting for years.

Hunting was identified by Congress as a priority public use activity on National Wildlife Refuges in the 1997 amendments to the National Wildlife Refuge Administration Act of 1966. Although the CCP opens approximately 50% of the Refuge to hunting over the next 15 years, the other half of the Refuge will be open to Big 5 uses or will be closed to all public uses (sanctuary). For example, the majority (571 acres) of the Dead Man’s Reach Unit has been identified as more suitable for the fishing, wildlife observation, photography, environmental education, and interpretation (Big 5 uses). In Chapter 1, under Refuge River Jurisdiction, the Service acknowledges the State’s “public trust easement” in the area between the low water mark and the ordinary high water mark. This acknowledgement is illustrated in the proposed public uses (Big 6: hunting, fishing, wildlife observation, photography, interpretation, and environmental education) allowed on refuge lands below the high water mark as interpreted to be those lands below cut banks including gravel and sandbars including 66 acres on the Dead Man’s Reach Unit. Safety and maintaining consistency with the CDFG regulations on state lands adjacent to the Sacramento River Refuge is critical; hence, hunters are restricted to the use of short-range weapons limited to shotguns and archery equipment while hunting the Refuge. All other types of firearms are prohibited while on the Refuge (unless they are unloaded, and cased

or dismantled (50 CFR 27.42).

Trespass on private lands is a problem throughout the country. The Refuge works with its neighbors to develop strategies to discourage trespass and protect both the resources on the Refuge as well as those of the neighbors. Currently, the Refuge has two full-time law enforcement officers and one dual-function law enforcement officer. In addition a full-time Zone Officer is stationed at the Complex. These officers patrol the Sacramento River Refuge (see section 3.1.4.). The Refuge has posted boundaries on an annual basis and more recently began constructing gates and fences at access points to reduce the potential of trespass. Each gate is signed with access restrictions and a contact number for more information. As the Refuge extends over 77 river miles on 26 separate properties, we rely heavily on information provided by our neighbors to identify specific issues or concerns they may be having with regard to Refuge properties. The Refuge also works within the parameters of an MOU with CDPR and CDFG to conduct law enforcement activities along the Sacramento River.

**Comment:** *“Our private property and the property next to ours is not marked on your maps as private property so people using them don’t know we are here either.”*

**Service Response:** The commentor is correct. Refuge maps only show Refuge properties, and in some cases other agency’s properties (e.g. CDFG, CDPR, Bureau of Land Management). It is not our policy to publish information about property that is not public land. Some landowners do not want this information published on our maps, and as in this case, others do. To avoid any confusion, only Refuge lands (or in some case other public lands or easements), are noted on our maps.

Conflicts between hunting and other wildlife-dependent recreation and neighboring landowners (as stated in the Hunt Plan (USFWS 2005)), will be minimized by the following:

- Provide 1,740 acres of the Refuge for non-hunting activities only (i.e. wildlife observation, photography, interpretation, environmental education and fishing activities) by 2005 and an additional 1,198 acres within 2-10 years for a total of 2,938 acres (28 percent) which will separate the different user groups spatially. Non hunting activities are also allowed on the 52 percent (5,323 acres) of the Refuge open to hunting. The remaining 20% of the Refuge is closed to the public.
- Landward boundaries are closed to discourage trespass from and onto adjacent private lands.
- Hunting will not be allowed on Refuge units that are small in area and close in proximity to urban areas or private dwellings.
- Post all Refuge units with boundary signs and provide public use information signs prior to opening to the public.
- Construct gates and fences at access points to reduce the potential of trespass. Each gate is signed with access restrictions and a contact number for more information.
- Provide information about the Refuge hunting program by installing informational signs/kiosks, creating and distributing flyers, and utilizing the Refuge’s website ([www.sacramentovalleyrefuges.fws.gov](http://www.sacramentovalleyrefuges.fws.gov)).

- Place public use signs at vehicle access points and at the approximate ordinary high water mark on all Refuge units open to the public. The signs will display the unit name, river mile, and public uses allowed/prohibited (Figures 26 & 27 of the CCP).
- Restrict entry and departure times on the refuge i.e. one hour before sunrise to one hour after sunset.
- Camping is allowed on gravel bars up to seven days during any 30-day period. We prohibit camping on all other refuge lands (see Camping and Recreational Boating Compatibility Determination (USFWS 2005a).
- Allow pedestrian and boat traffic only.
- Hunters using boats (motorized and non-motorized) must abide by the boating stipulations described in the State and Coast Guard regulations on boating.
- Provide coordinated law enforcement patrols by game wardens, park rangers, and refuge officers to enforce state and federal regulations.
- Outreach plan will serve as a means for managing social conflicts.

**Comment:** *“I don’t think hunters should be allowed anywhere near the jogging/walking paths.”*

**Service Response:** The Refuge does not allow hunting on the trails on this unit (near the adjacent landowner) or on any other Refuge unit. Moreover, access for hunting on this unit is by boat access only. Only non-hunters are allowed to use the parking area to access the unit.

### **3.1.7. Support for Hunting**

**Comment:**

1. *“It should be quite clear that hunting on the Sacramento River NWR will cause no negative impact on the population of the wildlife on the Refuge.”*
2. *“The management of [the Refuge] will improve wildlife and that is partly due to the support of hunters and the revenues generated by them.”*
3. *“I feel that hunting is a valuable use for the refuge.”*
4. *“After reading the Supplement, I support your assessment.”*
5. *“I have read the document and I am satisfied with the expected stated outcomes relating to the impact of hunting in the refuge. It is my opinion that hunting and fishing will not have an adverse effect on the flora and fauna that inhabit this region.”*
6. *“After reviewing the draft [Supplement] and the current CCP we have no and can find no issues with the plan or the assessment, thereby we find ourselves in full support of said CCP and the assessments.”*
7. *I would like to express my agreement with the conclusions found within the body of the analysis that hunting represents an extremely minor impact on wildlife species on refuges within California.”*
8. *“Regulated sport hunting is of great benefit to wildlife and this benefit could not be replaced by any other wildlife management tool.*

**Service Response:** The Refuge acknowledges the important contributions by hunters in wildlife



conservation. By respecting seasons and limits, purchasing all required licenses, and paying federal excise taxes on hunting equipment and ammunition, individual hunters make a big contribution towards ensuring the future of many species of wildlife and habitat for the future. By paying the Federal excise tax on hunting equipment, hunters are contributing hundreds of millions of dollars for conservation programs that benefit many wildlife species, hunted and non-hunted. Each year, nearly \$200 million in hunters' federal excise taxes are distributed to State agencies to support wildlife management programs, the purchase of lands open to hunters, and hunter education and safety classes. Proceeds from the Federal Duck Stamp, a required purchase for migratory waterfowl hunters, have purchased more than five million acres of habitat for the Refuge System lands, including many acres of the Sacramento National Wildlife Refuge Complex. These lands support waterfowl and many other wildlife species, and are often open to hunting. However, none of the land on Sacramento River Refuge has been purchased with these funds.

The Refuge agrees with the comments that hunting is a priority use on refuges, hunting is a valuable wildlife management tool, and that hunter access and opportunity have decreased in California. The CCP was designed to provide quality hunting opportunities on Sacramento River Refuge and to reduce confusion for hunters on Refuge and CDFG lands.

**Comment:** *“We strongly agree with your analysis that the hunt program will not significantly impact the Refuge’s wildlife populations, nor adversely impact other wildlife-dependent recreational uses. Rather, hunting, as a “priority use” of the NWR System per the 1997 Refuge Improvement Act, provides much-needed, low-cost recreational opportunities for the public, serves as a legitimate wildlife management tool and generates important sales and tax revenue for local economies.”*

**Service Response:** Comment noted.

**Comment:** *“Hunting is a traditional use of the Sacramento River NWR lands and waters, and has never been shown to have a significant impact on either game or non-game species within the local area.” “Demand for public hunting opportunities in the Sacramento Valley is particularly high. For example, the odds of being selected to hunt for the nearby Delevan NWR and Little Dry Creek WA exceed 50:1. In addition, hunting is strongly supported by the local rural culture.”*

**Service Response:** Comments noted.

**Comment:** *“Hunting is already well regulated by state law, annual regulations adopted by the CA Fish and Game Commission, and, in the case of migratory game birds, federal regulations. The Service also has the ability to apply its own method of take and other regulations on Refuge lands, where necessary.” “Hunting on the Sacramento River NWR only takes place on a seasonal basis and only on about half of the Refuge’s lands. Hunting is also only permitted for a handful of state-designated game species. In fact, the vast majority of species within the Refuge’s lands are not hunted whatsoever.”*

**Service Response:** Comments noted.

**Comment:** *“Much of the Sacramento River NWR is only accessible by boat and consists of thick, virtually impenetrable riparian forests, thereby significantly limiting the number of hunters and other users.”*

**Service Response:** Comment noted.

**Comment:** *“The draft EA correctly recognizes that the hunting of dove, waterfowl, coot, common moorhen, pheasant, quail, snipe, turkey and deer not only are compatible with the purposes for which Sacramento River NWR was established, but actually assist the FWS in the management and conservation of the refuge’s wildlife and other natural resources.”*

**Service Response:** Comment noted.

### **3.2. Other Comments**

**Comment:** *“The Fund for Animals law suit has caused more loss to the wildlife population (by causing funds to be spent in defending their claims) than hunting will ever do.”*

**Service Response:** Comment noted.

**Comment:** *“The FWS is failing to provide adequate notice and the opportunity to comment on its sport hunting plans (SHPs) and EAs.” “...the FWS has not announced the availability of its SHPs and EAs in the Federal Register.” “...Refuges have illegally provided extremely truncated public comment periods for their compatibility determinations...” “...failing to provide the public with an adequate opportunity to participate in the decision process.”*

**Service Response:** The Service does not agree with these comments. The Notice of Availability (NOA) for the Draft CCP/EA, including compatibility determinations, for the Refuge was published in the Federal Register on June 29, 2004. In addition to the NOA, the Service announced the Draft CCP/EA’s availability with legal notices in local newspapers, provided a letter to over 400 individuals, organizations, and agencies, and placed the documents on the Region 1 planning website (<http://www.fws.gov/pacific/planning/draft/docs/CA/docssacriver.htm>) and the Complex’s website (<http://www.fws.gov/sacramentovalleyrefuges/index.htm>). The comment period lasted until August 20, 2004 (>45-day comment period). The NOA for the Final CCP/EA was also provided in the Federal Register on August 3, 2005.

The Service announced the Supplement’s availability with legal notices in local newspapers, provided a letter to over 400 individuals, organizations, and agencies, and placed the documents

on the Complex's website. The 30 day comment period went from March 9, 2007 to April 7, 2007. Comments were also accepted for analysis into this document up until April 14, 2007.

**Comment:** *"...appreciate it if the FWS would acknowledge the contributions made by Safari Club International and Safari Club International Foundation for the conservation and management of wildlife as well."*

**Service Response:** The Services acknowledge the contributions by these organizations and has added them to the text in the Final Supplement.

**Comment:** *"[We] suggest that the drafters of Sacramento River NWR's EA highlight more prominently the role of hunter generated dollars toward the management and conservation of wildlife species, and the cumulative detriment to wildlife management if those dollars are lost." [We] "suggest that is but one example of many such potential losses to wildlife conservation and management that the authors could have discussed."*

**Service Response:** Comments noted.

**Comment:** *"We recommend that the FWS add to its cumulative analysis an explanation of how the control and/or reduction of hunted populations, considered collectively with similar wildlife management efforts on numerous refuges throughout the National Wildlife Refuge system, conserves the cumulative health of the habitat of the flyway in which the refuge is located and the migratory birds that utilize that flyway. In addition, the benefits that hunting brings to each refuge improves the entire refuge system's available habitat and native wildlife populations and thus provides the public generally with more valuable and diverse refuge recreational opportunities of all kinds."*

**Service Response:** Comments noted.

**Comment:** *"[We] suggest that the authors of the EA consider whether hunting of species such as wild turkey and deer controls the population of the species to the extent that it reduces pressure on habitat to allow for the presence of other, non-hunted species."*

**Service Response:** Comment noted.

### **3.3. Praise**

#### **Comment:**

1. *"I commend you and your staff in getting it near perfect. Near perfect in the amount of land open to hunting, the buffer zones, and those lands that are off limits to hunting."*
2. *"The draft [Supplement] was found to be exhaustive and complete, the CCP to be sound in concept."*
3. *"[We] wish to thank all those individuals that have worked and are presently working on the CP for their commitment and hard work in the assessment process and the management of the plan and out resources."*
4. *"[We] wish to commend the U.S. Fish and Wildlife Service ("FWS") and the refuge personnel specifically for the efficient and comprehensive manner with which they have examined and reported the effects of hunting on the refuge and on the areas beyond the refuge boundaries that are affected or potentially affected by hunting or the absence of hunting on the refuge."*
5. *"[We] would like to compliment the authors of Sacramento River NWR's draft EA for their analysis of the cumulative impact that hunting on Sacramento River NWR will have on the surrounding and/or interrelated areas that include the refuge lands, and particularly the emphasis that the authors gave to the coordination of efforts with the California Department of Fish and Game."*
6. *"[We] are also pleased that the refuge has clearly documented the extensive cumulative research and analysis that the FWS conducts on migratory bird hunting and its flyway-wide and national environmental effects both on species and habitat."*

**Service Response:** Comments noted.

## **4.0 LIST OF PEOPLE AND ENTITIES THAT PROVIDED COMMENTED**

### ***4.1 Organizations***

#### **Organization**

Animal Protection Institute  
Humane Society of the United States  
Safari Club International,  
Safari Club International Foundation  
California Outdoor Heritage Alliance

#### **Signature**

Monica Engebretson  
Andrew Page & Lauren Nolfo-Clements  
  
Ralph S. Cunningham  
Mark Hennelly

### ***4.2 Businesses***

#### **Business**

Patriot Endeavors  
Wunsch Chiropractic Clinic

#### **Signature**

Michael Ellithorp  
Eric Wunsch

### ***4.3 General Public***

Michael Bachelor  
Rudy Buriani  
Dan Mayberry  
William Schultz  
Pam and Ron Myers

## **5.0 SUMMARY OF CHANGES**

This section explains and summarizes the major changes made between the draft and final versions of the Supplement.

Page 22, Fourth Paragraph: Changed citation from USFWS 2004 to USFES 2005f.

Page 22, Fifth Paragraph: Changed citation from USFWS 2005 to USFWS 2005f.

Page 22, Sixth Paragraph: Changed citation from USFWS 2005 to USFWS 2005f.

Page 23, Second Paragraph: Changed citation from USFWS 2005 to USFWS 2005f.

Page 34, Third Paragraph: Added the flowing text: “Safari Club International, Safari Club International Foundation,”

Page 43: Deleted USFWS 2004 reference.

Page 44: Added USFWS 2005f reference.

## 6.0 REFERENCES

- California Department of Fish and Game. 2004. Letter to Project Leader, Sacramento National Wildlife Refuge Complex.
- Small, S.L., N. Nur, A. Black, G. Geupel, D. Humple, and G. Ballard. 2000. Riparian bird populations of the Sacramento River system: Results from the 1993-1999 field seasons. Report to The Nature Conservancy and the U.S. Fish and Wildlife Service by PRBO. Stinson Beach, CA. 76 pp.
- Stillwater Sciences. 2003. Final Sacramento River Ecological Indicators Pilot Study. Report for The Nature Conservancy by Stillwater Sciences, William Rainey, Elizabeth Pierson, Chris Corben, in consultation with Mary Power.
- USFWS, CDFG, and CDPR. 2001. Memorandum of Understanding (MOU) with the California Department of Fish and Game (CDFG) and the California Department of Parks and Recreation (CDPR) for cooperative land management along the Sacramento River.
- USFWS. 2005. Sacramento River National Wildlife Refuge Final Comprehensive Conservation Plan and EA. U.S. Fish and Wildlife Service, Sacramento, CA.